

## **Remarks**

This application has been carefully reviewed in light of the Office Action mailed January 31, 2011. At the time of the Office Action, claims 1-41 were pending in this application all of which were rejected. Applicant has not amended any claims. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Applicant thanks Examiner Robinson-Boyce for the telephonic interview on May 27, 2011. Applicant's representative and the Examiner discussed the outstanding office action and the patentability of the pending claims over the cited art. Accordingly, Applicant believes that the application is in condition for allowance.

The Examiner rejected claims 1, 4, 5, 8, 14-18, 20, 29, 30, 31, 33 and 34 as being unpatentable over U.S. Patent No. 6,029,141 to Bezos et al. (*Bezos*) in view of U.S. Patent No. 6,067,525 to Johnson et al. (*Johnson*). Applicant traverses this rejection because neither *Bezos* nor *Johnson*, either alone or in combination, teach or suggest the pending claims. Reconsideration of the claims is respectfully requested for the following reasons.

Claim 1, in relevant part, recites:

an inventory database queried via the multimedia user interface to determine if one or more unreserved products in-process match the user-selected manufactured product configuration; a sales processor operable to receive a user reservation of an unreserved product in-process if the user-selected manufactured product configuration at least partially matches the one or more unreserved products in-process in the inventory database; an order processor operable to receive a custom order from the user if the user-selected manufactured product configuration does not at least partially match the one or more unreserved products in-process in the inventory database.

The proposed combination of *Bezos* and *Johnson* does not teach or disclose at least these limitations of claim 1. While the Examiner admits that *Bezos* is deficient in teaching these limitations of claim 1, (Non-Final Office Action, p. 4), the Examiner rather looks to *Johnson* to cure the deficiencies. (*Id.*) However, *Johnson* fails to teach these limitations in multiple respects.

For example, the Examiner looks to *Johnson*, col. 18, ll. 17-26 in rejecting claim 1. However, in this passage, *Johnson* discloses a change order module that “allows a salesperson to request change to orders ***that have already been submitted to the manufacturer***” (emphasis added). Accordingly, the change order module is for reconfiguring products for which orders have been placed by a customer.

In contrast, claim 1 recites that if a user-selected manufactured product configuration at least partially matches one or more unreserved products in-process in an inventory database, a sales processor receives a user reservation of an unreserved product. Alternatively, if the user-selected manufactured product configuration does not at least partially match the one or more unreserved products in-process in the inventory database, an order processor receives a custom order from the user. Accordingly, claim 1 is patentably distinct from the combination of *Bezos* and *Johnson*.

Claim 1 is patentable for additional reasons. Claim 1 further recites that an order processor is operable to receive a custom order from a user if “the user-selected manufactured product configuration does not at least partially match the one or more unreserved products in-process in the inventory database.” *Johnson* discloses a general sales order system for ordering configured products. (*Johnson*, col. 17, ll. 39 – 58, col. 28, l. 60 – col. 29, 8 and Figures 17 and 18). While the *Johnson* system does receive custom orders from a customer, claim 1 contrarily recites an order processor that receives custom orders *if* there is not at least a partial match between a product configuration and the one or more unreserved products in-process.

Accordingly, for at least this reason, the combination of *Bezos* and *Johnson* further fails to teach or disclose claim 1.

For at least these reasons, claim 1 is patentable over the proposed combination of *Bezos* and *Johnson*. Claims 4, 5, and 8 each depend from independent claim 1. Accordingly, these claims are allowable based at least on their dependency from claim 1. Applicant kindly request the Examiner to reconsider claims 1, 4, 5, and 8.

Claim 14 recites, in relevant part:

querying an inventory database to determine if one or more unreserved products in-process match the online customer-selected product configuration; receiving a reserved online order of an unreserved product in-process from the online customer if the online customer selected product configuration at least partially matches the one or more unreserved products in-process in the inventory database; receiving a custom online order from the online customer if the online customer selected product configuration does not at least partially match the one or more unreserved products in-process in the inventory database.

Based at least on the reasons for patentability set forth above with respect to claim 1, the combination of *Bezos* and *Johnson* does not teach the limitations of claim 14. Thus, claim 14 is also patentable over the proposed combination. Further, claims 15-18 and 20 each depend from independent claim 14. Accordingly, these claims are also allowable based at least on their dependency from claim 14. For at least these reasons, Applicant kindly requests the Examiner to reconsider claims 14-18 and 20.

Claim 29 recites, in relevant part:

capturing an online order containing at least one manufactured product identifier and specifying the manufactured product configuration, the manufactured product being a reserved online order of an unreserved product in-process from an online customer if the online customer selected manufactured product configuration at least partially matches one or more unreserved products in-process in an inventory database

or a custom online order from the online customer if the online customer selected manufactured product configuration does not at least partially match the one or more unreserved products in-process in the inventory database.

Based at least on the reasons for patentability set forth above with respect to claim 1, the combination of *Bezos* and *Johnson* does not teach the limitations of claim 29. Thus, claim 29 is patentable over the proposed combination. Claims 30, 31, 33, and 34 each depend from independent claim 29. Accordingly, these claims are also allowable based at least on their dependency from claim 29. For at least these reasons, Applicant kindly requests the Examiner to reconsider claims 29-31, 33, and 34.

Claims 2, 3, 6, 7, 9, 10-13, 19, 21-28, 32, and 35-41 have been rejected as being unpatentable under 35 U.S.C. §103(a) over the combination of *Bezos*, *Johnson*, and at least one other reference. Applicant submits that each of these claims are allowable based on their direct or indirect dependency from one of claims 1, 14, or 29. As described above, claims 1, 14, and 29 are allowable because the proposed combination of *Bezos* and *Johnson* fails to teach the limitations of claims 1, 14, and 29. None of these additional references make up for the deficient teachings of the proposed combination. Furthermore, these dependent claims are patentable for the further limitations that they add which make them separately allowable. As such, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 3, 6, 7, 9, 10-13, 19, 21-28, 32, and 35-41.

Applicant does not acquiesce in the Examiner's characterizations of the art. For brevity and to advance prosecution, Applicant may not have addressed all characterizations of the art and reserve the right to do so in further prosecution of this or a subsequent application. The absence of an explicit response by Applicant to any of the Examiner's positions does not constitute a concession to the Examiner's positions. The fact that Applicant's comments have focused on particular arguments does not constitute a concession that there are no other

arguments for patentability of the claims. Applicant submits that all of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

The Petition fee of \$ 130 is being charged to our Deposit Account No. 02-3978 via electronic authorization submitted concurrently herewith. Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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